

### **INTERVIEW SUMMARY**

1. On 11/9/2009 Ms. Perez, Applicant's Representative called and left a message inquiring about the reason for marking two references in the 9/15/2006 IDS as not being considered.

On 11/10/2009 E granted an interview to resolve the issue explained in the message.

During the interview, E explained that there was no translation or other explanation for the relevance the crossed references (JP 2001-189278 and JP 9-278562). AR noted that the crossed references were in the International Search Report, which the IDS alludes to but fails to list. E explained that the Reply to the outstanding Office Action may ask E to reconsider the crossed references in the 9/15/2006 IDS.

Independent of this IDS issue, E reviewed the prosecution history and noted that the claims still recite a product but attempt to exclude others from a scope described by functional language that fails to distinguish over the prior art. E therefore invited AR and Applicant to have an interview before submitting a Reply to the Outstanding Office Action to help advance prosecution of this application. E explained that he would consider a proposed amendment to the claims that includes an explanation of how the claims distinguish over the applied art, which amendment attempts to advance prosecution. And to help advance prosecution, E explained that he would note any issue immediately evident in the submitted proposed claims.

### **CONCLUSION**

2. Any inquiry concerning this communication or earlier communications from an Examiner should be directed to Examiner Hrayr A. Sayadian, at (571) 272-7779, on Monday through Friday, 7:30 am – 4:00 pm ET.

If attempts to reach Mr. Sayadian by telephone are unsuccessful, his supervisor, Supervisory Primary Examiner Wael Fahmy, can be reached at (571) 272-1705. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available only through Private PAIR.

Art Unit: 2814

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. The Electronic Business Center (EBC) at (866) 217-9197 (toll-free) may answer questions on how to access the Private PAIR system.

/Hrayr A. Sayadian/

Patent Examiner, Art Unit 2814